






## The Board's Water Supply Bank

Monica Van Bussum  
Idaho Department of Water Resources  
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## What is "the Bank?"

- Exchange market operated by the IWRB to facilitate marketing of water rights
- Provides mechanism to temporarily change water rights
- Can be a substitute for transfers



Source: IDAPA 37.02.03.01 and Idaho Code 42-1764








## What are the purposes of the Bank?

- Encourage the highest beneficial use of water
- Provide a source of water supplies to benefit new and supplemental uses
- Provide funding source for improving water user facilities and efficiencies

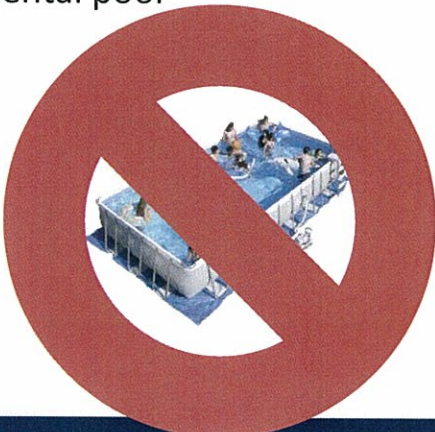
Source: Idaho Code Section 42-1761 and IDAPA 37.02.03







## What isn't "the Bank?"


- Not a rental pool


















## Bank v. Rental Pools

<u>Board's Bank</u>	<u>Rental pool</u>
<ul style="list-style-type: none"> <li>Managed by IDWR for the IWRB</li> <li>Throughout Idaho</li> <li>Ground and surface water – live/natural flow</li> </ul>	<ul style="list-style-type: none"> <li>Managed by local committee</li> <li>Specific watersheds</li> <li>Largely storage water</li> </ul>













## Vocabulary

- Lease – ***into*** the Bank
- Rent – ***from*** the Bank











## Leasing

- Generally 1-5 years
  - Some grandfathered indefinite
- Current filing fee: \$0
  - Proposed fee : \$250 per water right
- Protection from forfeiture
- Potential rental fees









## Leasing

- Owner must not use right
  - Even if not rented
  - Land is idled for duration
- Leases conditioned in accordance with other rights
- Lessor receives 90% of rental fees
  - 10% to IDWR
  - Proposed: 75% and 25%









## Leasing – review considerations

- Recorded
- Ownership
- Forfeiture or abandonment
- Availability of source to fill right
- Consistent with State Water Plan
- In the local public interest
- If rented, no enlargement

Source: IDAPA 37.02.03.025










## Renting

- Generally 1-5 years
- Rentals conditioned in accordance with other rights
- Fee: \$14 per AF















## Renting – review considerations

- Must be hydraulic connection between leased right and rental location
- Rental cannot be for use requiring permanent water right
- Does not authorize new well construction
- Payment must be received





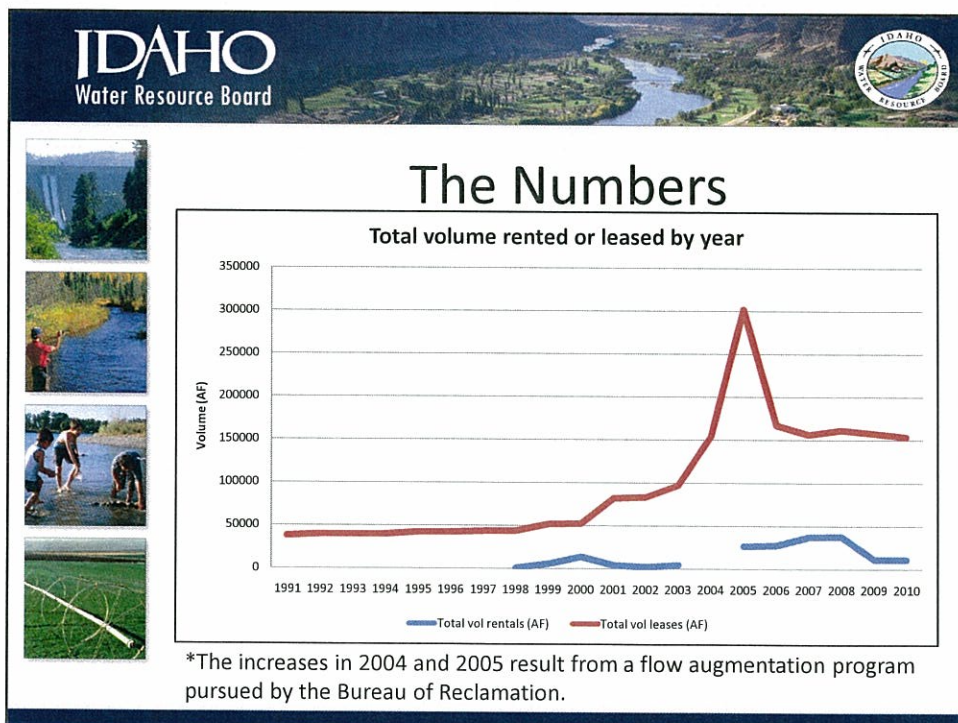
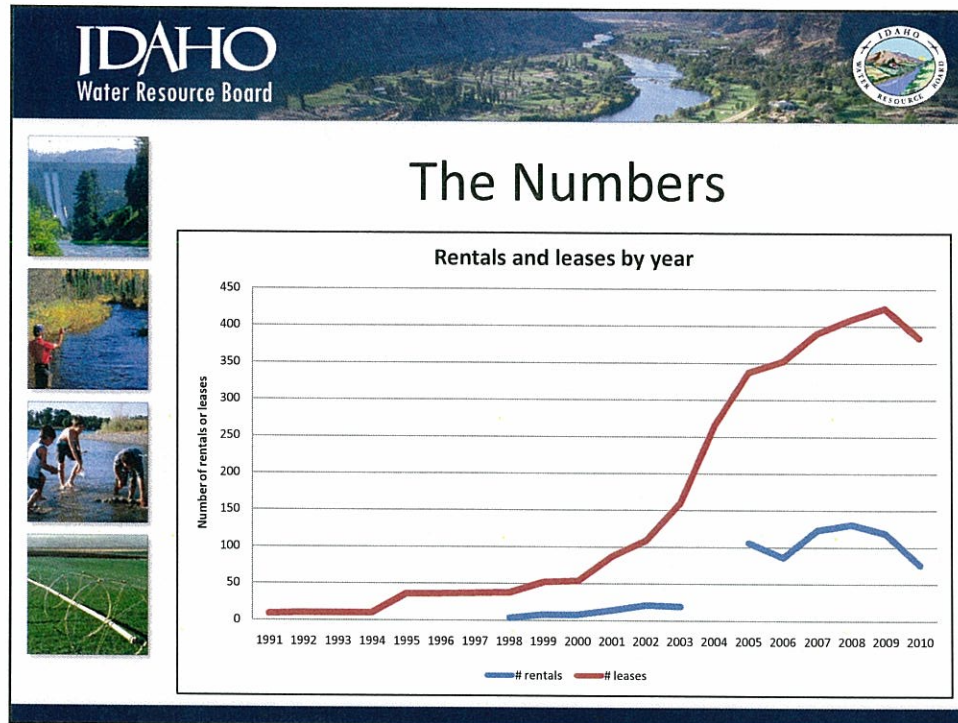




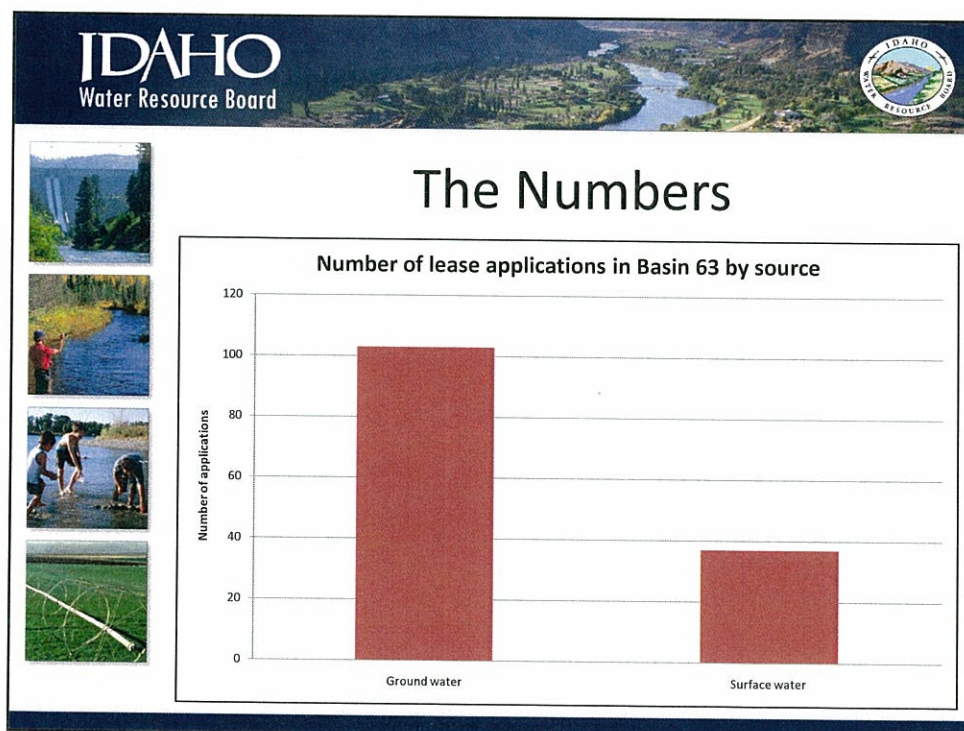
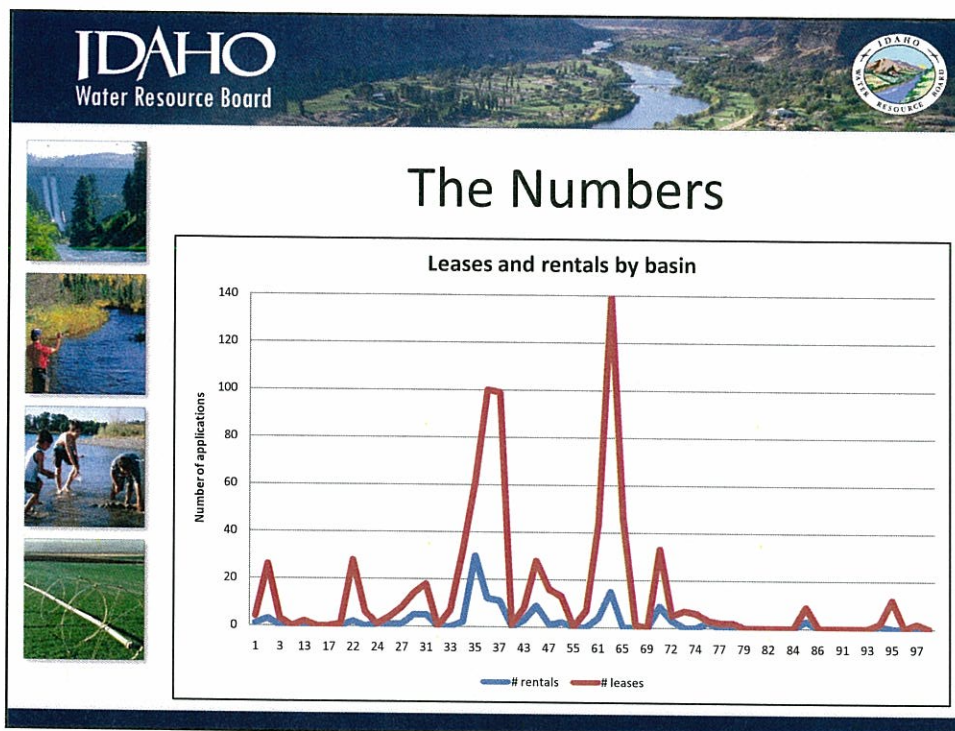
## Renting – review considerations

- Injury to other water rights
- Enlargement of the water right
- Water put to beneficial use
- Sufficiency of water supply
- In the local public interest

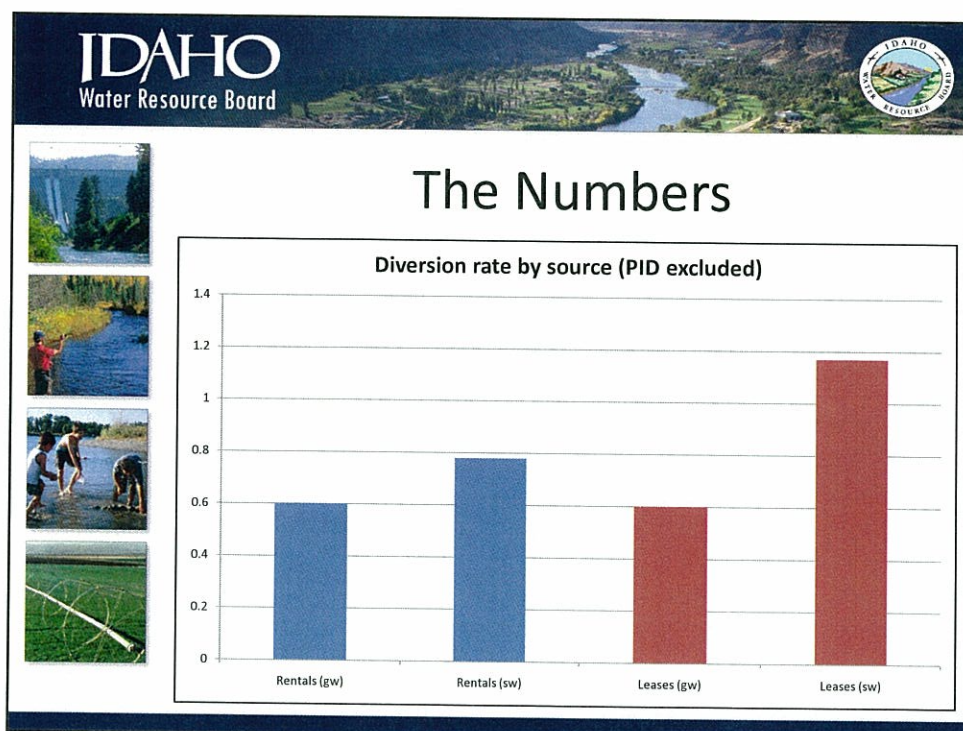
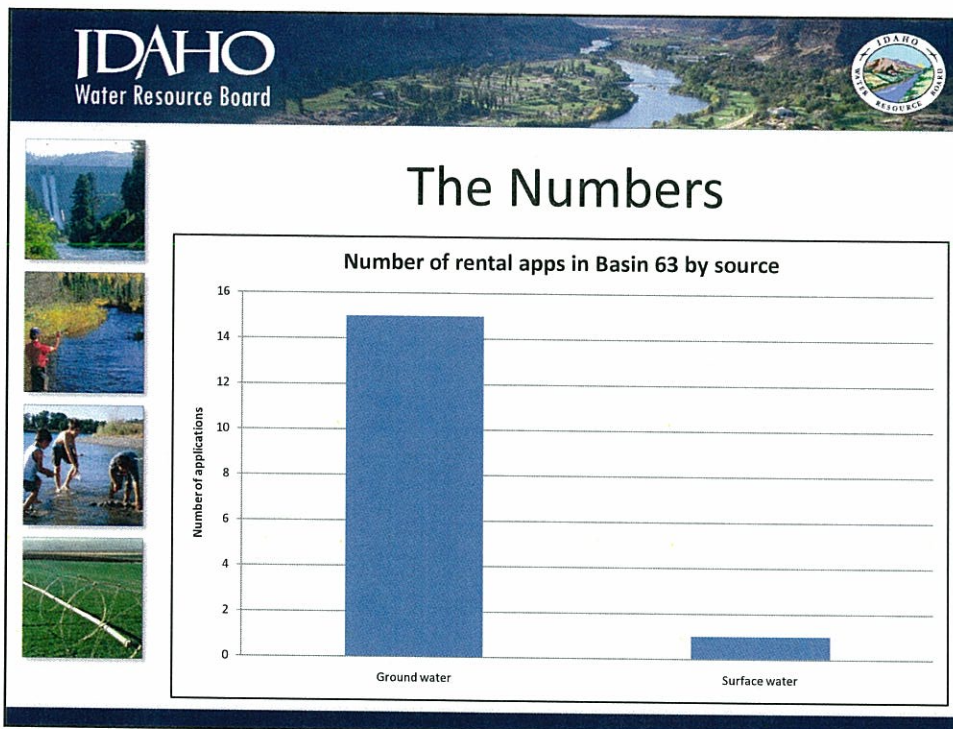
Source: IDAPA 37.02.03.030






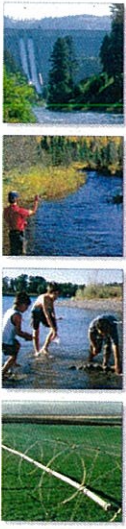












# Questions